

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

WILLIE WHITE,
Plaintiff,

v.

LT. BROOKE GAGLIONE, et al.,
Defendants.

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CIVIL ACTION NO. 22-CV-1974

ORDER

AND NOW, this 1st day of June, 2022, upon consideration of Willie White's Motion to Proceed *In Forma Pauperis* (ECF No. 1), Prisoner Trust Fund Account Statement, and *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. The Clerk of Court is **DIRECTED** to file a copy of Willie White's inmate account statement (ECF No.3 in Civil Action 22-1226) on the docket of this case.
2. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
3. Willie White, #26532, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Warden of Lehigh County Jail or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to White's inmate account; or (b) the average monthly balance in White's inmate account for the six-month period immediately preceding the filing of this case. The Warden or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in White's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the

Clerk of Court equaling 20% of the preceding month's income credited to White's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

4. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Warden of Lehigh County Jail.

5. The Complaint is **DEEMED** filed.

6. White's Complaint is **DISMISSED WITH PREJUDICE** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for the reasons stated in the Court's Memorandum.

7. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

Eduardo C. Robreno
EDUARDO C. ROBRENO, J.